

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

ELMER TEJADA-PORTILLO

**05-10017MLW**  
:  
: CRIMINAL ACTION  
:  
: Count One:  
:  
: 8 U.S.C. § 1326(a)  
: (Illegal Re-entry of  
: Deported Alien)

**INDICTMENT**

**COUNT ONE:** 8 U.S.C. § 1326 -- Illegal Re-entry of Deported Alien

The Grand Jury charges that:

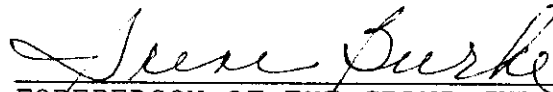
On or about January 3, 2005, at Boston, in the District of  
Massachusetts,

**ELMER TEJADA-PORTILLO**

the defendant herein, being an alien and having been excluded,  
deported and removed from the United States, was found in the  
United States without having received the express consent of the  
United States Attorney General prior to March 1, 2003, or the  
express consent of the Secretary of the Department of Homeland  
Security since that date, to reapply for admission to the United  
States.

All in violation of Title 8, United States Code, Section 1326(a)(1) and (b)(3) and Title 6, United States Code, Section 202(3) and (4) and Section 557.

A TRUE BILL

  
FOREPERSON OF THE GRAND JURY

  
NADINE PEILEGRINI  
Assistant United States Attorney

DISTRICT OF MASSACHUSETTS

January 26, 2005

Returned into the District Court by the Grand Jurors and filed.

  
Deputy Clerk  
12:37 pm

JS 45 (5/97) - (Revised USAO MA 6/29/04)

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. II Investigating Agency ICECity Boston Related Case Information:County Suffolk Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_  
Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_  
Magistrate Judge Case Number \_\_\_\_\_  
Search Warrant Case Number \_\_\_\_\_  
R 20/R 40 from District of \_\_\_\_\_**Defendant Information:**Defendant Name Elmer TEJEDA-Pontillo Juvenile ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address \_\_\_\_\_

Birth date (Year only): 1980 SSN (last 4 #): \_\_\_\_\_ Sex M Race: H Nationality: El Salvador

Defense Counsel if known: \_\_\_\_\_ Address: \_\_\_\_\_


Bar Number: \_\_\_\_\_

**U.S. Attorney Information:**AUSA Nadine Pellegrini Bar Number if applicable \_\_\_\_\_Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be SEALED: ☐ Yes ☒ No☒ Warrant Requested☐ Regular Process☐ In Custody**Location Status:**

Arrest Date: \_\_\_\_\_

☐ Already in Federal Custody as \_\_\_\_\_ in \_\_\_\_\_☐ Already in State Custody \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by \_\_\_\_\_ on \_\_\_\_\_Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty \_\_\_\_\_ ☐ Misdemeanor \_\_\_\_\_ ☒ Felony 1

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☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 1/26/05Signature of AUSA: 

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District Court Case Number (To be filled in by deputy clerk): \_\_\_\_\_

Name of Defendant Elmer TEJADA-PORTILLO

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>8 USC 1326(a)</u>	<u>Illegal Re-etry</u>	<u>1</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: